

\*E-Filed 10/30/12\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANDREW RAMIREZ,  
Plaintiff,

No. C 12-5004 RS (PR)

**ORDER OF DISMISSAL**

v.

D. SWINGLE, et al.,  
Defendants.

This is a federal civil rights action filed pursuant to 42 U.S.C. § 1983 by a *pro se* state prisoner. By order of the Court, plaintiff was granted 30 days (1) to file a complete application to proceed *in forma pauperis* (“IFP”), or (2) to pay the filing fee of \$350.00, or face dismissal of the action. More than 30 days have passed since the order was filed, and plaintiff has failed to perfect his IFP application by filing a prison trust account statement showing transactions for the last six months. Accordingly, the action is **DISMISSED** without prejudice. Any motion to reopen the action **must** contain a prison trust account statement showing transactions for the last six months, or payment for the full filing fee of \$350.00. Plaintiff’s motions to proceed IFP (Docket No. 5), for a preliminary injunction (Docket No. 8), and for the appointment of counsel (Docket No. 9) are **DENIED** as moot. The Clerk shall terminate Docket Nos. 5, 8, and 9, enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

DATED: October 29, 2012

  
RICHARD SEEBORG  
United States District Judge

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